

# EXHIBIT 16

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**From:** Klein, Sheldon <[klein@butzel.com](mailto:klein@butzel.com)>  
**Sent:** Thursday, January 14, 2016 5:04 PM  
**To:** Munkittrick, David A.  
**Cc:** Kass, Colin; Abeles, Scott M.  
**Subject:** RE: In re Automotive Parts Antitrust Litigation (Master Case No. 2:12-md-02311)

David –

The Parties disagree with your characterization of the status and history of negotiation. We have spent 4 months attempting to work with the SSEs and made repeated and substantial concessions to narrow the scope of the subpoena, with no meaningful proposal from the SSEs. Accordingly, we are more than skeptical that a negotiated resolution is possible. And we do not believe it is necessary or appropriate to waste more time negotiating when doing so is unlikely to result in a resolution.

Nevertheless, the Parties are willing to allow the SSEs until noon on Tuesday, January 19 to respond, with corresponding adjustments to the previously proposed briefing schedule, in the event that a motion remains necessary. Please advise as soon as possible whether the SSEs are willing to respond by Tuesday.

The parties will respond separately with respect to the final paragraph of your email.

**Sheldon Klein**

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A LexMundi Member



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**From:** Munkittrick, David A. [<mailto:DMunkittrick@proskauer.com>]  
**Sent:** Thursday, January 14, 2016 3:29 PM  
**To:** Klein, Sheldon  
**Cc:** Kass, Colin; Abeles, Scott M.  
**Subject:** In re Automotive Parts Antitrust Litigation (Master Case No. 2:12-md-02311)

Sheldon,

Please see attached objections and responses to the subpoenas served on FCA US LLC, Maserati North America, Inc., and Fiat Chrysler Finance North America, Inc.

We note that the Issuing Parties have withdrawn the subpoena as to Maserati North America, Inc. See Nov. 24, 2015 Ltr.; Jan. 13, 2016 Ltr. We also note that the Issuing Parties are withdrawing the subpoenas to any finance, credit, banking, or capital SSE unless such SSE solely possess certain transactional data. See Jan. 13, 2016 Ltr. Fiat Chrysler Finance North America does not provide financing or credit to consumers, and thus, does not possess – let alone uniquely possess – transactional data relating to the sale of vehicles in the United States. Rather, it performs cash management, investment, corporate finance services, and working capital financing for Fiat S.p.A Group companies in the North American region. Accordingly, we understand that the Issuing Parties do not intend to enforce the subpoena as to Fiat Chrysler Finance North America. Out of abundance of caution, however, we are serving objections on behalf of both Maserati North America and Fiat Chrysler Finance North America, Inc.

As for Chrysler Transport, Inc., it was a subsidiary of Chrysler LLC and on April 30, 2009 filed a voluntary petition for relief in the United States Bankruptcy Court for the Southern District of New York under Chapter 11 of Title 11 of the United States Code, and was subsequently known as Old Carco Transport Inc. Pursuant to a liquidation plan confirmed on April 23, 2010 and effective April 30, 2010, Old Carco Transport Inc. was dissolved. Attempted service on Chrysler Transport Inc. was accordingly rejected on July 23, 2015. Because Chrysler Transport Inc. was never served, never agreed to waive service, and has not entered an appearance in the case, we are not serving objections in response to the unserved subpoena.

Best,

**David Munkittrick**  
Attorney at Law

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